

### **REMARKS**

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Examiners Hoang and Teaters are kindly thanked for the courtesies extended to Applicant's representative during the May 4, 2010 personal interview. The reasons warranting favorable action discussed during the interview are incorporated into the following remarks and constitute Applicant's separate record of the interview.

Claims 1-8 are pending in this application. Claim 1 is the only independent claim. By this Amendment, Claims 1 and 2 are amended as suggested by the Examiners during the interview. In addition, Claims 4 and 8 are amended to be consistent with the amendments to Claim 1. No new matter is added.

During the interview, the Examiners requested that Claim 1 be amended as set forth above to more clearly define the recited features. The Examiners agreed that these amendments are non-substantive, as the amendments simply use different words to describe the same concept set forth in the previous version of Claim 1. In this regard, the Examiners agreed that the amendments herewith would be entered if included in an Amendment After Final in response to the current Official Action.

The Official Action rejects Claim 1-8 under 35 U.S.C. §103(a) over Swedish Patent No. SE 514 560 to Palm. The rejection is respectfully traversed.

Claim 1 defines an apparatus for evaporative cooling of a liquid product. The apparatus comprises, *inter alia*, a vacuum chamber including a top wall and a bottom wall and divided into a first chamber centrally positioned with respect to the longitudinal axis of the vacuum chamber and a second chamber which concentrically surrounds the first chamber. The first chamber has an upper part located inside the

vacuum chamber and a lower part located beneath the bottom wall of the vacuum chamber. The lower part extends downwards below the bottom wall of the vacuum chamber so that the length of the lower part below the bottom wall is at least the same as the length of the upper part inside the vacuum chamber. A coolant conduit is positioned inside the lower part of the first chamber located below the bottom wall for delivering coolant to cool the condensed steam.

The Official Action takes the position that Palm's cooling conduit 24 and distributor nozzle 29 correspond to the claimed coolant conduit positioned in the portion of the first chamber for delivering coolant to cool the condensed steam. The Official Action acknowledges that the cooling conduit 24 and distributor nozzle 29 are not positioned below the end wall 4 as defined in independent Claim 1, but believes that rearranging the configuration of Palm's device so that the cooling conduit 24 and distributor nozzle 29 are provided inside the conduit 19 and below the end wall 4 would have been obvious to one skilled in the art.

However, as pointed out during the interview, Palm specifically discloses that the distributor nozzle should be placed in the *upper region* of the second space 7 (see col. 3, lines 23-25 of Palm's U.S. equivalent, U.S. Patent No, 6,513,422). Thus, as tentatively agreed during the interview, there is no reason why one skilled in the art would ignore the guidance provided by Palm's disclosure and modify the device so that the cooling conduit 24 and distributor nozzle 29 are provided inside the conduit 19 and below the end wall 4. Accordingly, as tentatively agreed during the interview, Palm fails to disclose, and would not have rendered obvious, the combination of features recited in independent Claim 1, including a coolant conduit positioned inside the lower part of the first chamber located below the bottom wall for

delivering coolant to cool the condensed steam. Thus, independent Claim 1 is patentable over Palm for at least these reasons.

Claims 2-8 are patentable over Palm at least by virtue of their dependence from patentable independent Claim 1. Thus, a detailed discussion of the additional distinguishing features recited in these dependent claims is not set forth at this time. Withdrawal of the rejection is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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